



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

MICHIGAN LAW REVIEW

PUBLISHED MONTHLY DURING THE ACADEMIC YEAR, EXCLUSIVE OF OCTOBER, BY THE
LAW SCHOOL OF THE UNIVERSITY OF MICHIGAN

SUBSCRIPTION PRICE \$2.50 PER YEAR.

35 CENTS PER NUMBER

RALPH W. AIGLER, EDITOR-IN-CHIEF
EDITORIAL BOARD

Faculty

HENRY M. BATES	WILLARD T. BARBOUR
EDWIN C. GODDARD	JOSEPH H. DRAKE
VICTOR H. LANE	

Students, appointed by the Faculty from the Class of 1918:

ARTHUR BOHN, of Illinois.	ABRAHAM JACOB LEVIN, of Michigan.
LUCIUS COMSTOCK BOLTWOOD, of Michigan.	HECTOR ARTHUR MCCRIMMON, of Michigan.
SAMUEL LOUIS COHEN, of Minnesota.	SAMUEL GOODWIN PICKUS, of Iowa.
RAYMOND ARCHIBALD FOX, of Kansas.	HENRIETTA ELIZABETH ROSENTHAL, of Michigan.
CHARLES LAZARUS GOLDSTEIN, of Michigan.	ALONZO CLEMENS RUIHLEY, of Ohio.
MELVIN RALPH GOMBRIG, of Illinois.	JAMES WIRTH SARGENT, of Kansas.
LESTER SANDER HECHT, of Pennsylvania.	JAMES WILLIAM THOMAS, of Michigan.
CHARLES LOTT KAUFMANN, of Ohio.	LESTER BENTON VINCENT, of Washington.
EARL LOEB WIENER, of Louisiana.	

NOTE AND COMMENT

A CALL TO LAWYERS.—The following letter, which explains itself, has been received from the secretary of the special committee for war service of the American Bar Association.

"EDITOR, MICHIGAN LAW REVIEW,
Law School, University of Michigan,
Ann Arbor, Michigan.

DEAR SIR:

The American Bar Association has appointed a Special Committee for War Service, whose function is to supply the right lawyers to any Department of the Government in need of men with legal training. This activity has the sanction and cordial approval of President Wilson and his Cabinet, who have suggested that it be carried on in cooperation with the U. S. Public Service Reserve of the Department of Labor.

The Special Committee consisting of John Lowell, Chairman, and Lawrence G. Brooks, Secretary, is now established in Washington at 1712 Eye Street, where it is engaged in making a survey of the several Government Departments and Bureaus to ascertain the kind of work at present being done by lawyers, the number of additional lawyers now needed, and the extent of

the probable future demand for members of the legal profession. The Committee, on the other hand, is canvassing the situation through the many channels open to the American Bar Association, to discover what lawyers of ability are available for the Government.

The survey so far made shows that lawyers are wanted by the Government in a variety of capacities, both legal and executive, volunteer and compensated, to work in Washington and elsewhere,—that the Association, in short, has a splendid opportunity for National Service. The Special Committee is now preparing as rapidly as possible to perform this service, and expects soon to be in a position promptly and capably to answer the call of any Department for men with legal experience.

The Committee asks that all lawyers willing and able to serve the Government at this time send their names to the American Bar Association at 1712 Eye Street, Washington, D. C., with a brief statement of their training and qualifications and the conditions under which they are able to serve.

Very truly yours,

LAWRENCE G. BROOKS,

Secretary Special Committee for War Service."

EFFECT OF CHANGE OF LAW UPON OBLIGATION TO PAY RENT.—In *McCullough Realty Co. v. Laemmle Film Service*, (Nov. 16, 1917), 165 N. W. 33, the supreme court of Iowa had occasion to pass upon a question which has become increasingly frequent with the spread of prohibition laws, namely, the effect upon the obligation of a tenant to pay rent, of a subsequent law that makes it unlawful for him to use the premises for the purpose for which he leased them. The case before the Iowa court was not one arising out of a lease of premises for saloon purposes, but the question involved was precisely the same, and the saloon cases were relied upon for the decision. The action was for rent upon a written lease containing the following clause: "Said premises are leased for Film Exchange and film and theatre supplies purposes only and are not to be used for any unlawful or offensive purposes whatever." The defendant contended that by reason of a city ordinance, passed after the demise, providing that it should be unlawful to store, handle, etc. any inflammable motion picture films in buildings which are not fire-proof, it had become impossible to use the premises for the purposes for which they were leased. The lessee had vacated the premises. It appeared that the handling of films was 99 per-cent of the business of a film exchange, and that it was wholly impracticable to keep the films at one place and have the office at another. Being of opinion that "the entire beneficial use of the leased premises was prevented by the ordinance", the court held the defendant freed of the obligation to pay rent.

Where a lease contains a clause *permitting* the premises to be used for saloon purposes and the premises are in fact so used, a subsequent change in the law making it unlawful to operate a saloon does not affect the tenant's rent liability. *Hayton v. Seattle Brewing and Malting Co.*, (1911), 66 Wash. 248, 37 L. R. A. (N. S.) 432; *Hyatt v. Grand Rapids Brewing Co.*, (1912), 168 Mich. 360. But where the lease restricted the use of the premises to such